

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CASE NO.: 11-CR-00486-DLI-26

UNITED STATES OF AMERICA,

Plaintiff

vs.

PERRY IEROPOLLI, et al

Defendant.

**UNOPPOSED MOTION TO WAIVE DEFENDANT
IEROPOLLI'S APPEARANCE AT STATUS CONFERENCE**

COMES NOW the Defendant, PERRY IEROPOLLI, and hereby files this Unopposed Motion to Waive Defendant's Appearance at Status Conference and states unto the Court as follows:

1. The Status Conference in this matter is currently scheduled for September 7, 2011 before the Honorable Dora Lizette Irizarry.
2. Due to undersigned counsel's vacation and court schedule, as outlined in his Notice of Unavailability [D.E. 257], Michael Blacker, Esquire, attorney for co-Defendant Hector Flores, has agreed to stand in for undersigned counsel at the Status Conference.
3. Undersigned counsel is waiting for the Government's discovery in this case and has advised co-defendant counsel of this position.
4. While on bond, the Defendant resides in Texas with his Grandfather. It will be costly for the Defendant to travel to New York to appear for status conference to discuss discovery issues in this case. He has been advised of his right to be present at all stages

of the proceedings, including, presentation of and arguments on questions of fact and law, and to be confronted by and to cross-examine all witnesses, waives the right to be present at the hearing of any motion or other proceeding in this cause.

5. As a result, the Defendant requests his presence be waived at the Status Conference scheduled for September 7, 2011.

6. Undersigned counsel has conferred with Assistant United States Attorney Steve Tiscione, Esquire who stated he has no objection to the Defendant's appearance being waived at the Status Conference scheduled for September 7, 2011.

WHEREFORE the Defendant respectfully requests this Honorable Court grant the relief requested herein and any other relief this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 17, 2011, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel for record or pro se parties identified on the attached Service List in the manner specified, either transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive Notices of Electronic Filing.

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By: /S/ Alvin E. Entin
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